

REMARKS

The Office Action dated February 6, 2006 has been received and carefully noted. The above noted amendments to independent claims 1 and 6, which Applicants submit do not introduce any new matter, along with the following remarks, are submitted as a full, complete, and timely response thereto. Claims 1-8 are pending in the application and are submitted for consideration.

Claims 1, 2, 6, and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Coden* (U.S. Patent No. 6,154,462), in view of *Breyer* (Switched, Fast and Gigabit Ethernet”, XP002199222”). The Office Action took a position that the cited combination of references teaches each and every limitation recited in claims 1, 2, 6, and 7. Applicants traverse the rejection and respectfully submit that the cited combination of references fails to teach, show, or suggest each and every limitation recited in claims 1, 2, 6, and 7.

Claim 1, upon which claims 2 and 3 depend, recites a method of handling data packets in a series of network switches. The method includes the steps of receiving an incoming data packet at a data port of a first switch of said series of network switches; resolving a stack tag from a header of said incoming data packet; determining whether said incoming data packet is a unicast packet, a multicast packet or an IP multicast packet; and to search the address resolution lookup and layer three IP lookup tables to find an egress port for said incoming data packet; modifying the header of said incoming packet; forwarding said incoming data packet to a second switch of said series of network switches on a stacked connection operating at a first data rate, or to a third switch of said series of switches on a

separate connection operating at a second data rate that is different from the first data rate, based on the stack tag and the egress port; and remodifying the header of said incoming packet only when the egress port is one of a series of data ports of a particular switch of said series of switches.

Claim 6, upon which claims 7-8 depend, recites a network switch in a series of network switches. The network switch includes means for receiving an incoming data packet at a data port of a first switch of said series of network switches; means for resolving a stack tag from a header of said incoming data packet; means for determining whether said incoming data packet is a unicast packet, a multicast packet or an IP multicast packet; and to search the address resolution lookup and layer three IP lookup tables to find an egress port for said incoming data packet; means for forwarding said incoming data packet to at least a second switch of said series of network switches-on a stacked connection operating at a first data rate, or to a third switch of said series of switches on a separate connection operating at a second data rate that is different from the first data rate, based on the stack tag and the egress port; and means for modifying the header of said incoming packet only when the egress port is one of a series of data ports of a particular switch of said series of switches.

Coden teaches circuits and methods for a ring network. Referring to Figure 1, system 100 includes a number of ring switches 104-1 through 104-N. Each ring switch includes one or more local ports that are coupled to local networks and uses a method that prevents packets from being transmitted around the ring network indefinitely. When a packet enters a ring switch from a local port, an identification number for the ring switch

is appended, pre-pended or added to the packet. Still according to a further aspect of *Coden*, a counter is appended to the packet at its originating ring switch. Each subsequent ring switch in the network that processes the packet increments the counter for the packet. Further, each ring switch that processes the packet checks the value of the counter. If the value of the counter exceeds an assigned threshold, then the packet is removed. The maximum value for the counter is selected so that the packet is removed from the ring when it has circled the network at least once.

The sections of *Breyer* that were cited in the Office Action generally teach removal or stripping off of a layer 2 header from a packet to obtain a layer 3 packet. Subsequently, the layer 2 header is added back to the packet after the switching operations are conducted.

However, Applicants submit that the cited combination of *Coden* and *Breyer*, when taken either alone or in combination, fails to teach, show, or suggest forwarding an incoming data packet to a second switch of a series of network switches on a stacked connection operating at a first data rate, or to a third switch of the series of switches on a separate connection operating at a second data rate that is different from the first data rate, based on a stack tag and the egress port, as recited in claim 1. Applicants note that paragraph 5 of the Office Action supports this conclusion, as each of the novel elements noted in paragraph 5 have been included in independent claim 1, as amended. Therefore, reconsideration and withdrawal of the rejection of independent claim 1, along with dependent claims 2-3, is respectfully requested.

Similarly, claim 6 recites a means for forwarding an incoming data packet to at least a second switch of a series of network switches on a stacked connection operating at a first data rate, or to a third switch of the series of switches on a separate connection operating at a second data rate that is different from the first data rate, based on the stack tag and the egress port. Again, these limitations were indicated as novel in paragraph 5 of the Office Action, and therefore, Applicants submit that independent claim 6, along with dependent claims 7-8, are allowable. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 3 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Coden* and *Breyer*, further in view of *Jennings* (U.S. Patent No. 6,425,015). The Office Action took a position that the cited combination of references disclosed each and every limitation recited in claims 3 and 8. Applicants traverse the rejection and respectfully submit that the cited combination of references fails to teach, show, or suggest each and every limitation recited in claims 3 and 8.

As a preliminary matter, Applicants note that claims 3 and 8 depend from claims 1 and 6, respectively. Claims 1 and 6 have been presented as allowable above, and therefore, Applicants submit that claims 3 and 8 are also allowable as a result of being dependent upon an allowable base claim. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 3, which depends from claim 1, recites the method of claim 1, further comprising resolving a mirroring field of the incoming data packet and forwarding the incoming data packet to a mirroring port based on the mirroring field. Claim 8, which depends from claim 6, recites the method of claim 6, further comprising means for resolving

a mirroring field of the incoming data packet, and means for forwarding the incoming data packet to a mirroring port based on the mirroring field.

Coden and *Breyer* are discussed above. *Jennings* teaches a Port mirroring process, whereby mirroring is achieved between ports on separate devices in a stack of communication devices by establishing a protocol for communications within a cascade connection forming the stack in which an indication is given of whether the communication is being sent to the mirror port in addition to its intended destination.

However, neither *Coden*, *Breyer*, nor *Jennings* teaches, discloses, or suggests forwarding an incoming data packet to a second switch of a series of network switches on a stacked connection operating at a first data rate, or to a third switch of the series of switches on a separate connection operating at a second data rate that is different from the first data rate, based on a stack tag and the egress port, as recited in claim 3. Further, neither *Coden*, *Breyer*, nor *Jennings* teaches, discloses, or suggests means for forwarding an incoming data packet to at least a second switch of a series of network switches on a stacked connection operating at a first data rate, or to a third switch of the series of switches on a separate connection operating at a second data rate that is different from the first data rate, based on the stack tag and the egress port, as recited in claim 8. Therefore, reconsideration and withdrawal of the rejection of claims 3 and 8 is respectfully requested.

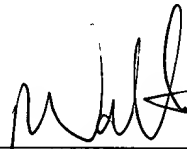
In conclusion, Applicants submit that independent claims 1 and 6 each include the limitations from paragraph 5 of the Office Action which were indicated as novel. As such, Applicants submit that independent claims 1 and 5, along with each claim depending

therefrom, are in condition for allowance. Claims 1-8 are pending and are submitted for consideration.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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